

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
RENZER BELL,

Plaintiff,

-against-

ANDREW MICHAEL KOSS, a/k/a MICHAEL KOSS,  
JOHN DOE, EXOTIC EURO CARS, and “ABC  
CORPORATIONS” being unknown, and fictitious  
at this time,

Defendants.

ANALISA TORRES, District Judge:

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17 Civ. 7762 (AT) (VF)

**ORDER**

Before the Court is the Report and Recommendation (“R&R”), ECF No. 188, from the Honorable Valerie Figueredo, recommending that Plaintiff’s motion for default judgment be granted. On January 15, 2022, Plaintiff moved for entry of default judgment against Defendants Andrew Michael Koss and Exotic Euro Cars (“EEC”). ECF No. 161. On February 18, 2022, Plaintiff filed an affidavit in support of an award of monetary damages and provided proof of service on the defaulting Defendants. ECF No. 166. The Court referred the motion to Judge Lehrburger, who held a show-cause hearing on February 24, 2022; neither Koss nor EEC appeared at the hearing. ECF No. 170. On April 27, 2022, the matter was redesignated to Judge Figueredo.

After careful consideration, Judge Figueredo issued the R&R, proposing that the Court enter a default judgment against Koss and EEC and award Plaintiff \$53,380 in compensatory damages, as well as prejudgment interest at the statutory rate of 9 percent. R&R at 25. Despite notification of the right to object to the R&R, no objections were filed, and the time to do so has passed.<sup>1</sup> *Id.* at 26; *see* Fed. R. Civ. P. 72(b)(2). When no objection is made, the Court reviews the R&R for clear error. *See Whitley v. Bowden*, No. 17 Civ. 3564, 2019 WL 1953941, at \*1 (S.D.N.Y. May 1, 2019). The Court finds no clear error.

Accordingly, the Court ADOPTS Judge Figueredo’s R&R in its entirety. Plaintiff’s motion for default judgment is GRANTED. The Clerk of Court is directed to enter judgment consistent with this order and the R&R.

SO ORDERED.

Dated: December 12, 2023  
New York, New York

  
ANALISA TORRES  
United States District Judge

<sup>1</sup> On Plaintiff’s motion, the Court extended Plaintiff’s time to file objections to the R&R until December 11, 2023. ECF No. 191.